



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No. 11758 of 2024

Sunil @ Lala Nag

...

Petitioner

Mr. J. Panda, Advocate

-versus-

State of Odisha

...

Opposite Party

Mr. S.K. Rout, ASC

CORAM:
JUSTICE G. SATAPATHY

ORDER(ORAL)
30.11.2024

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).

2. This is a bail application U/S.439 of Cr.P.C. by the petitioner for grant of bail in connection with M.Rampur P.S. Case No. 172 of 2022 corresponding to C.T. Case No.160 of 2023 (Sessions) pending in the file of learned Addl. Sessions Judge, Bhawanipatna for commission of offences punishable under Sections 45/341/392 of IPC read with Sec. 27 of Arms Act, on the allegation of taking away of Rs. 2600/- from the Informant by confining him in a room along with another co-accused person.

3. Heard, Mr. Jnyanananda Panda, learned counsel for the petitioner and Mr. S.K. Rout, learned ASC in the present matter and perused the record.

4. It appears from the record that FIR was lodged against two unknown persons, but no TI Parade



appears to have been conducted to identify the suspect. Besides, the Petitioner has been implicated in this case on the basis of recovery of one country made gun, one army uniform and cash of Rs. 2000/- pursuant to the disclosure statement of co-accused Santosh Badaseth @ Tumuka. Mr. S.K. Rout, learned ASC, however, strongly opposes the bail application of the Petitioner mainly on the ground of criminal antecedent of the Petitioner, but the mode and manner of involvement of the Petitioner has already been indicated above. Besides, charge-sheet has already been submitted in this case.

5. In view of the above facts and after having considered the rival submissions and taking into consideration the nature and gravity of accusations raised against the petitioner and keeping in view the mode and manner of implication of the Petitioner and regard being had to the pre trial detention of the petitioner in custody since 24.01.2023 and taking into account the release of co-accused Santosh Badaseth @ Tumuka on bail in BLAPL No. 3309 of 2023, this Court admits the petitioner to bail.

6. Hence, the bail application of the Petitioner stands allowed and the Petitioner is allowed to go on bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty Thousand) only with two solvent sureties each for the like amount to the satisfaction of the learned Court in seisin of the case on such terms and conditions as deem fit and proper by it with following conditions:-



(i) the Petitioner shall not commit any offence while on bail,

(ii) the Petitioner shall attend the trial Court on each date of posting without fail unless his attendance is dispensed with.

In case the Petitioner fails without sufficient cause to appear in the Court in accordance with the terms of the bail, the learned trial Court may proceed against the Petitioner for offence U/S.229-A of IPC in accordance with law,

(iii) the Petitioner shall not leave the jurisdiction of the trial Court without prior permission till disposal of the case and

(iv) the Petitioner shall report attendance before the jurisdiction Police Station once in a week preferably on Sunday in between 10 A.M. to 12 Noon for six (06) months from the actual date of his release from the custody.

The I.I.C. of Jurisdictional Police Station shall not detain the Petitioner unnecessarily after recording his attendance beyond the time as stipulated.

It is clarified that the Court in seisin of the case will be at liberty to cancel the bail of the petitioner without further reference to this Court, if any of the above conditions are violated or a case for cancellation of bail is otherwise made out. In the wake of aforesaid, the subsequent involvement of the Petitioner in future for grave and serious offences on prima facie accusations may be treated as a ground for cancellation of bail in this case.



Since some criminal antecedents have been reported against the petitioner, the Court in seisin of the case may verify the residential proof of the sureties, if required. It is made clear that the Court in seisin of the case, while releasing the petitioner on bail may verify the residential proof of the sureties by taking the help of local police, if required to ascertain his proof of residence and such exercise must be completed within a reasonable period of not more than three days of filing bail bonds.

7. Accordingly, the BLAPL stands disposed of.
8. Issue urgent certified copy of the order as per Rules.

(G. Satapathy)
Judge

Priyajit

Signature Not Verified

Digitally Signed
Signed by: PRIYAJIT SAHOO
Reason: Authentication
Location: HIGH COURT OF ORISSA
Date: 02-Dec-2024 17:07:12

